

he would be prepared to respond. The City opposed the motion for extension, arguing that the City and its lawyers have offered full cooperation in the scheduling of depositions; any delays were the fault of Meyer or his attorneys; and the City has offered to stipulate to an extension of the briefing deadline to January 13, 2006. (Filing No. 49).

The deadline for the taking of depositions in this case is February 1, 2006, and the final pretrial conference is scheduled for March 6, 2006. (Final Progression Order, Filing No. 20). The trial is now scheduled to begin on April 11, 2006. (Filing No. 29). Although it is unclear why Meyer may need the depositions of certain witnesses in order to present his opposition to the City's Motion for Partial Summary Judgment on a cause of action that appears to be based on alleged facts within Meyer's own knowledge, it should not work a hardship on the City nor on this Court to extend Meyer's deadline for responding to the Motion for Partial Summary Judgment to January 31, 2006.

IT IS ORDERED:

1. The Plaintiff's Motion to Continue Deadline (Filing No. 44) is granted in part, and the Plaintiff shall submit any brief and index of evidence in response to the Defendant's Motion for Partial Summary Judgment (Filing No. 38) on or before January 31, 2006.

DATED this 3rd day of January, 2006.

BY THE COURT:

s/Laurie Smith Camp
Laurie Smith Camp
United States District Judge